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09/385,386

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: : David Palsulich, et al.
App. No. : 09/385,386
Filed : August 30, 1999
For : TRANSFER LINE FOR MEASUREMENT SYSTEMS
Examiner : K.T. Nguyen

Group Art Unit: 2881

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated below and are addressed to the United States Patent and Trademark Office, Box DAC, P.O. Box 2327, Arlington, VA 22202, on

April 2, 2003

(Date)

John M. Grover, Reg. No. 42610

PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 C.F.R. § 1.137(b)

United States Patent and Trademark Office
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APPLICANTS HEREBY PETITION FOR REVIVAL OF THIS APPLICATION

The Applicants hereby petition for revival of the above-captioned application for patent abandoned unintentionally under 37 C.F.R. § 1.137(b), and to accept the Applicants' Response to Restriction Requirement, a copy of which is attached hereto as Exhibit A. The application became abandoned for failure to file a timely and proper response to the Restriction Requirement mailed on November 23, 2001, which set a 1-month period for response. The Notice of Abandonment was mailed on July 8, 2002.

Specifically, the application became abandoned when the Patent Office did not receive a timely facsimile filing of the Applicants' attached Response to Restriction Requirement. The Applicants petitioned to withdraw the holding of abandonment under 37 C.F.R. § 1.181. However, that petition was dismissed on March 11, 2003, because, among other things, the Applicants do not have a fax confirmation sheet corresponding to the filing. Accordingly, the Applicants now petition for revival under 37 C.F.R. § 1.137(b).

1. Petition Fee: Please find enclosed herewith a check in the amount of \$1,300 for fee specified under 37 C.F.R. § 1.17(m).

04/07/2003 AMNDRAF1 00000070 09385386 1300.00 DP 01 FC:1453

App. No. : 09/30,386
Filed : August 30, 1999

2. Reply: A copy of the timely facsimile filed Response to Restriction Requirement is enclosed herewith as Exhibit A, and the Applicants respectfully request entry thereof into the present case.

4. Terminal Disclaimer: Since this utility application was filed after June 8, 1995, no terminal disclaimer is required.

3. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 C.F.R. § 1.137(b) was unintentional.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: April 2, 2003

By: 

John M. Grover
Registration No. 42,610
Attorney of Record
Customer No. 20,995
(949) 760-0404

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CERTIFICATE OF MAILING BY "EXPRESS MAIL"

Attorney Docket No.: MICRON.093A

Applicants : David Palsulich, Eric Swanson, Larry
Weston, Kevin Coyle

For : TRANSFER LINE FOR MEASUREMENT
SYSTEMS

Attorney : John M. Grover

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I hereby certify that the accompanying

Transmittal Letter; Petition for Revival of an Application for Patent Abandoned Unintentionally Under 37 C.F.R. § 1.137(b); Exhibit A, including: a Copy of a Facsimile Cover Sheet dated December 11, 2001; a Copy of a Transmittal Letter dated December 11, 2001; a Copy of (2) pages of a Response to Restriction Requirement dated December 11, 2001; Check for Filing Fee; Return Prepaid Postcard.

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Nelson Merida

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In re application of: David Palsulich, et al.
App. No. : 09/385,386
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For : TRANSFER LINE FOR
MEASUREMENT SYSTEMS
Examiner : K.T. Nguyen
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April 2, 2003

(Date)

John M. Grover, Reg. No. 42,610

UNITED STATES PATENT AND TRADEMARK OFFICE
P.O. Box 2327
Arlington, VA 22202

ATTN: BOX DAC

Sir:

Transmitted herewith is a Petition for Revival of an Application for Patent Abandoned Unintentionally Under 37 C.F.R. § 1.137(b) in the above-identified application.

Enclosed are:

- (X) attached Exhibit A, including:
 1. a copy of a facsimile cover sheet dated December 11, 2001;
 2. a copy of a transmittal letter dated December 11, 2001; and
 3. a copy of (2) pages of a Response to Restriction Requirement, also dated December 11, 2001; and
- (X) a check in the amount of \$1,300; and
- (X) a return prepaid postcard.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Please use Customer No. 20,995 for the correspondence address.



John M. Grover
Registration No. 42,610
Attorney of Record
Customer No. 20,995

Exhibit A

This Exhibit A includes the following items corresponding to the Response to Restriction Requirement timely filed via facsimile on December 11, 2001.

1. Copy of a facsimile cover sheet dated December 11, 2001.
2. Copy of a transmittal letter dated December 11, 2001.
3. Copy of (2) pages of a Response to Restriction Requirement, also dated December 11, 2001.

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Lang J. McHardy

* A Professional Corporation
† Also Barrister At Law (Eng. & Wales)
** U.S. Patent Agent

To: Commissioner for Patents,
FIRM: U.S. Patent and Trademark Office
FACSIMILE NO.: (703) 302-7723
FROM: Adeel S. Akhtar, Reg. No. 41,394
OUR REFERENCE NO.: MICRON.093A
SERIAL NO.: 09/385,386
ART UNIT: 2881
FILING DATE: August 30, 1999
TOTAL NUMBER OF PAGES: 4 (INCLUDING COVER SHEET)
DATE: December 11, 2001 TIME: 1:53 PM
IF YOU DID NOT RECEIVE ALL OF THE PAGES, PLEASE CALL BACK IMMEDIATELY.

Operator Phone Number: (415) 954-4114
Direct Line to Facsimile Machine: (415) 954-4111

Message: Please see Response to Restriction Requirement.

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December 11, 2001

(Date)
Adeel S. Akhtar
Adeel S. Akhtar, Reg. No. 41,394

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Case Docket No. MICRON.093A

Date: December 11, 2001

Page 1

In re application of : Palsulich et al.
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Examiner : Nguyen
Art Unit : 2881

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December 11, 2001

(Date)
Adeel S. Akhtar
Adeel S. Akhtar, Reg. No. 41,394

COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

Sir:

Transmitted herewith is a Response to Restriction Requirement in the above-identified application.

The fee has been calculated as shown below:

CLAIMS AS FILED						
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDITIONAL FEE
Total Claims	44	—	49	= 0 ×	\$18	= \$0
Independent Claims	8	—	9	= 0 ×	\$84	= \$0
If application has been amended to contain multiple dependent claim(s), then add					\$280	= \$0
Time Extension Fee						\$0
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						\$0

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Adeel S. Akhtar
Adeel S. Akhtar
Registration No. 41,394
Attorney of Record

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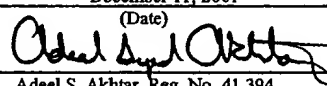
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Applicant	:	Palsulich et al.)	Group Art Unit 2881
)	
Appl. No.	:	09/385,386)	CERTIFICATE OF FAX TRANSMISSION
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Filed	:	August 30, 1999)	I hereby certify that this correspondence and
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)	(Date)
)	
Examiner	:	Nguyen)	Adeel S. Akhtar, Reg. No. 41,394

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

In an action mailed November 23, 2001, the Examiner required restriction of prosecution to one of the following groups of claims:

Group I Claims 1-5, drawn to a measurement system; and

Group II Claims 6-49, drawn to a transfer system.

In response, Applicants elect without traverse to proceed with prosecution on the merits of Group II (Claims 6-49).

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Appl. No. : 9/385,386
Filed : August 30, 1999

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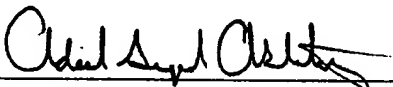
Conclusion

In view of the foregoing, Applicant submits that the application is in condition for examination on the merits, and respectfully requests the same.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: December 11, 2001

By: 

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